



General Assembly

January Session, 2003

Amendment

LCO No. 6223

SB0093406223SR0

Offered by:

SEN. FASANO, 34th Dist.

SEN. HERLIHY, 8th Dist.

REP. FERRARI, 62nd Dist.

SEN. DAILY, 33rd Dist.

SEN. FINCH, 22nd Dist.

To: Subst. Senate Bill No. 934

File No. 187

Cal. No. 135

**"AN ACT CONCERNING USE OF CONSUMER COLLECTION
AGENCIES FOR MUNICIPAL PROPERTY TAX COLLECTION."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective October 1, 2003, and applicable to assessment*
4 *years commencing on or after October 1, 2003*) (a) As used in this section:

5 (1) "Municipality" means any city, town, borough, district or
6 association with municipal powers; and

7 (2) "Open space land" means any area of land, including forest land,
8 the preservation or restriction of the use of which would (A) maintain
9 and enhance the conservation of natural or scenic resources, (B) protect
10 natural streams or water supply, (C) promote conservation of soils,

11 wetlands, beaches or tidal marshes, (D) enhance the value to the public
12 of abutting or neighboring parks, forests, wildlife preserves, nature
13 reservations or sanctuaries or other open spaces, (E) enhance public
14 recreation opportunities, (F) preserve historic sites, or (G) promote
15 orderly urban or suburban development.

16 (b) Any municipality may, by ordinance adopted by its legislative
17 body, establish a program under which property taxes may be abated
18 in exchange for the permanent transfer to the municipality or its
19 designee of development rights, conservation easements, rights-of-way
20 or any combination thereof, to open space land. Such ordinance shall
21 include, but not be limited to, provisions for the following: (1)
22 Establishment of an open space commission or designation of an
23 existing commission to carry out the program, (2) adoption of an open
24 space plan, which may be the open space plan provided for in section
25 12-107e of the general statutes, and (3) requirements for application for
26 the abatement which shall include a certified appraisal of the property
27 proposed for abatement which appraisal shall include the value of the
28 property both with and without development rights.

29 (c) (1) The abatement shall not exceed an amount equal to five per
30 cent of the fair market value of the eligible property minus the fair
31 market value of such property without the development rights. Any
32 abatement shall cease not more than fifty years after approval or upon
33 the death of the landowner, or spouse of the landowner if the
34 landowner predeceased the spouse, or upon the sale or change in use
35 of the property, whichever is earlier.

36 (2) An additional abatement, not exceeding the amount provided for
37 in subdivision (1) of this subsection, may be provided if the
38 municipality acquires the rights for the public to use the property for
39 passive recreation or acquires a right-of-way over a part of the land for
40 uses as part of a trail system.

41 (d) Any abatement provided for pursuant to an ordinance adopted
42 under this section (1) shall be in addition to any preferential tax

43 treatment for open space under any other provision of the general
44 statutes, and (2) may be applied to any other taxable property in the
45 municipality owned by the applicant."